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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,525	10/23/2003	Masahiro Kamiya	117605	6376
25944 7590 08/13/2009 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
EKPO, NNIENNA NGOZI				
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2425				
MAIL DATE		DELIVERY MODE		
08/13/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/690,525

Applicant(s)

KAMIYA, MASAHIRO

Examiner

NNENNA N. EKPO

Art Unit

2425

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/29/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-10, 12-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Ketwich (U.S. Patent No. 6,072,475) in view of Yates et al. (U.S. Publication No. 2001/0040551).

Regarding **claims 1 and 9**, Van Ketwich discloses an electronic program guide display control apparatus for displaying a part of an electronic program guide on a display screen and scrolling the display of a display area in response to specification

operation on the display screen, the electronic program guide display control apparatus comprising:

a specification point detection unit for detecting a specification point on the display screen (see col. 5, lines 36-50); and

a scroll control unit for scrolling the display of the display area based on a positional relation between the specification point detected by the specification point detection unit and a predetermined point on the display screen (see col. 5, lines 51-67),

the scroll control unit changes a scroll amount based on a distance from the predetermined point to the specification point, and changes a scroll direction based on a direction of the specification point with respect to the predetermined point when the display is scrolled (see col. 11, lines 9-46).

However, Van Ketwisch is silent on scrolling from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion being different than the first portion.

In an analogous art, Yates et al. discloses scrolling from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion being different than the first portion (see paragraph 0061).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the touch screen of Van Ketwisch to include scrolling from a first portion of the electronic program guide to a second portion of the electronic program guide, the second portion being different than the first portion as taught by Yates et al. for the advantage of having a touch pad that enables the

harmonious working of one hand holding the peripheral with the other hand manipulating the touch pad (see paragraphs 0013 and 0021).

Regarding **claim 2**, Van Ketwisch and Yates et al. discloses everything claimed as applied above (see *claim 1*). Van Ketwisch discloses wherein the specification point detection unit detects a point on the display screen pressed by a user with the user's finger as the specification point (see col. 10, lines 39-49 and fig. 10a-b).

Regarding **claim 3**, Van Ketwisch and Yates et al. discloses everything claimed as applied above (see *claim 2*). Van Ketwisch discloses wherein the scroll control unit scrolls the display of the display area based on the specification point detected by the specification point detection unit and a center point of the display screen as the predetermined point (see col. 3, lines 45-col. 4, lines 11).

Regarding **claim 4**, Van Ketwisch and Yates et al. discloses everything claimed as applied above (see *claim 3*). Van Ketwisch discloses wherein the scroll control unit scrolls the display of the display area based on a direction from the center point to the specification point and at least one of a distance from the center point to the specification point and specification pressure at the specification point (see col. 5, lines 41-43, col. 10, lines 58-65).

Regarding **claim 5**, Van Ketwich and Yates et al. discloses everything claimed as applied above (*see claim 4*). Yates et al. discloses wherein if the specification point detected by the specification point detection unit is an end portion of the display screen, the scroll control unit displays content of an end portion of the electronic program guide positioned in a direction from the center point to the specification point on the display screen (see paragraphs 0045 and 0056).

Regarding **claim 6**, Van Ketwich and Yates et al. discloses everything claimed as applied above (*see claim 1*). Yates et al. discloses a program-unit regulation unit for regulating a move distance of the scrolling by the scroll control unit in program units (see paragraph 0061 and fig. 27).

Regarding **claim 7**, Van Ketwich and Yates et al. discloses everything claimed as applied above (*see claim 1*). Yates et al. discloses a time-unit regulation unit for regulating a move distance of the scrolling by the scroll control unit in predetermined time units (see paragraph 0061 and fig. 27).

Regarding **claim 8**, Van Ketwich and Yates et al. discloses everything claimed as applied above (*see claim 1*). Yates et al. discloses a broadcast-service-unit regulation unit for regulating a move distance of the scrolling by the scroll control unit in broadcast service units (see paragraph 0061 and fig. 27).

Claim 10 is directed toward embody the method of claim 9 in "computer readable medium". It would have been obvious to embody the procedures of Van Ketwich and Yates et al. as discussed with respect to claim 9 in a "computer readable medium" in order that the instructions could be automatically performed by a processor.

Regarding **claim 12**, Van Ketwich and Yates et al. discloses everything claimed as applied above (see *claim 1*). Van Ketwich discloses wherein the scroll control unit changes the scroll amount based on the distance from the predetermined point to the specification point such that the scroll amount increases based on increasing distance from the predetermined point to the specification point (see col. 3, lines 45-col. 4, lines 11, col. 6, lines 38-64, col. 7, lines 42-64).

Regarding **claim 13**, Van Ketwich and Yates et al. discloses everything claimed as applied above (see *claim 9*). Van Ketwich discloses wherein the scroll amount is changed based on the distance from the predetermined point to the specification point such that the scroll amount increases based on increasing distance from the predetermined point to the specification point (see col. 3, lines 45-col. 4, lines 11, col. 6, lines 38-64, col. 7, lines 42-64).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NNENNA N. EKPO whose telephone number is (571)270-1663. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nnenna N. Ekpo/
Patent Examiner
August 10, 2009.

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2425